IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL SIDE JURISDICTION

WRIT PETITION (LODGING) NO.1245 OF 2007

Azami Charitable Trust and others .. Petitioners.

Vs

The Maharashtra Housing and Area Development Authority and others ..Respondents

Mr. V.R. Tripathi i/by M/s. V.R. Tripathi & Associates for the petitioners.
Mr. D.A. Nalawade, Government Pleader for the State.

CORAM: SWATANTER KUMAR, C.J., & J.P. DEVADHAR, J.

DATE : 12TH DECEMBER, 2007

P.C.:

When the case was called out for hearing in the morning, request was made on behalf of MHADA that their counsel is not present and, therefore, the case be passed over. The case was passed over and called again. Now, it is informed to the court by Mr. D.A. Nalawade, Government Pleader that MHADA has engaged some other counsel and despite intimation, he is not present in the

court. The principal grievance of the petitioners is that they had made an application for allotment of transit tenements as there was space crunch in running their educational institutions. It is contended that number of other educational institutions have been granted such tenements. This fact, according to the petitioners, is not disputed by the respondents as can be seen from the letter at page 159 of the paper-book. Despite the persuasion, their application has not been considered. In view of the above fact, though nobody is appearing on behalf of MHADA despite the case has been passed over today and adjourned on the previous date of hearing, we dispose of this petition with a direction to the competent authority in MHADA to dispose of the application of the petitioners within four weeks from today and communicate the order to the petitioners immediately thereafter. No order as to costs.

CHIEF JUSTICE

J.P. DEVADHAR, J.